

CONFIDENTIALITY NOTICE
ATTORNEY-CLIENT PRIVILEGE**RECEIVED****G. Patrick SAGE**
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31 MAY 2007

FAX TRANSMISSION**CONFIDENTIALITY NOTICE**Legal Staff
International Division

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DATE: May 31, 2007**TO:** Commissioner for Patents**FAX NO.:** 571 273 0459**FROM:** HUESCHEN AND SAGE**FAX NO.:** 269-382-2030**RE:** Our Ref: GRINDEX 1 PCT; Serial No.: 10/567,130 Filed February 2, 2006; REQUEST FOR CORRECTED FILING RECEIPT.**NO. OF PAGES INCLUDING COVER SHEET: 6**

Dear Commissioner:

Your undersigned attorney has received the Filing Receipt for the above-identified application.

However, there is an error as follows:

The filing date of February 7, 2006 is incorrect; the correct filing date should be February 2, 2006. Please find herewith the USPTO DECISION ON PETITION granting our filing date.

Correction of Filing Date and issuance of a corrected Filing Receipt are respectfully solicited.

Respectfully submitted,
THE FIRM OF HUESCHEN AND SAGE

By:


G. PATRICK SAGE

Enclosure: Filing Receipt (3)
DECISION ON PETITION (2)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/567,130	02/07/2006	1621	1200	GRINDEX 1 PCT	14	1

02/02/2006

25666

THE FIRM OF HUESCHEN AND SAGE
SEVENTH FLOOR, KALAMAZOO BUILDING
107 WEST MICHIGAN AVENUE
KALAMAZOO, MI 49007

CONFIRMATION NO. 8803

CORRECTED FILING RECEIPT

OC000000023958355

Date Mailed: 05/18/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ivars Kalvinsh, Ikshkile, LATVIA;
Anatolijs Birmans, Riga, LATVIA;

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MAY 24 2007

The Firm of
HUESCHEN AND SAGE

Power of Attorney: The patent practitioners associated with Customer Number 25666

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/LV04/00005 07/15/2004

Foreign Applications

LATVIA P-03-88 08/04/2003
LATVIA P-03-87 08/04/2003

If Required, Foreign Filing License Granted: 08/17/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/567,130**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

MELDONIUM SALTS, METHOD OF THEIR PREPARATION AND PHARMACEUTICAL COMPOSITION ON THEIR BASIS

Preliminary Class

514

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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02 MAR 2007

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In re Application of
KALVINSH
Application No.: 10/567,130
PCT No.: PCT/LV04/00005
Int. Filing Date: 15 July 2004
Priority Date: 04 August 2003
Atty Docket No.: GRINDEX 1 PCT
For: MELDONIUM SALTS, METHOD OF THEIR
PREPARATION AND PHARMACEUTICAL
COMPOSITION ON THEIR BASIS

The Firm of
HUESCHEN AND SAGE

DECISION ON PETITION

UNDER 37 CFR 1.181

This is a decision on applicant's petition under 37 CFR 1.181 filed 05 December 2006 in the United States Patent and Trademark Office (USPTO). No petition fee is due.

BACKGROUND

On 02 February 2006, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a first preliminary amendment, an application data sheet and an executed declaration of the inventors.

On 18 August 2006, applicant was mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) indicating a 371 date of receipt of the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements as 07 February 2006.

On 05 December 2006, applicant filed the present petition claiming that the 371 requirements were satisfied on 02 February 2006 and requesting a new Form PCT/DO/EO/903 and corrected filing receipt.

DISCUSSION

Applicant has provided a legible copy of the receipt postcard which shows a USPTO date stamp, "IAP3 REC'D PCT/PTO 02 FEB 2006" and lists as one of the filed items Declaration/Power of attorney as well as listing the title, applicants and attorney docket number. The postcard has not been annotated in any way to indicate that the declaration was not received. The evidence is sufficient to establish that the declaration for this application was received in the

Application No.: 10/567,1

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USPTO on 02 February 2006.

CONCLUSION

Applicant's petition under 37 CFR 1.181 is **GRANTED**.

The application has an international filing date of 15 July 2004 under 35 U.S.C. 363 and will be given a date of **02 February 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) mailed 18 August 2006 is hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) and a corrected filing receipt indicating the correct 371 date as detailed above.



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